

Application S/N 10/721,444
Amendment Dated: February 14, 2006
Response to Office Action dated: September 23, 2005

CE11066J1121

REMARKS/ARGUMENTS

Claims 1-22, 24 and 25 remain pending in the application, as claim 23 has been canceled without prejudice. In the Office Action, claims 1-5, 8-10 and 16-21 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0190467 to Liu, et al (Liu). In addition, claim 22 was rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,192,230 to van Bockhorst, et al. (van Bockhorst) (Applicants believe that this rejection should be under 35 U.S.C. 102(b) in view of the issue date of van Bockhorst). Finally, claims 6, 7, 11-13, 15 and 23-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of U.S. Patent Application Publication No. 2004/0013135 to Haddad.

Concerning the Liu reference, Applicants direct the Examiner's attention to the attached Declaration of Prior Invention in the United States Under 37 C.F.R. §1.131 to Overcome Cited Patent or Publication. Applicants respectfully submit that the rejection of claims 1-5, 8-10 and 16-21 under 35 U.S.C. 102(e) in view of Liu and claims 6, 7, 11-13, 15 and 23-25 under 35 U.S.C. 103(a) in view of Liu and Haddad Preston is moot in view of the submitted declaration.

Additionally, the elements of dependent claim 23 have been incorporated into independent claim 22. In view of the above, Applicants submit that independent claims 1, 8, 16 and 22 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are patentable, both based on their dependencies on the independent claims and their patentability on their own.

Reconsideration and withdrawal of the rejection of the claims is respectfully requested.

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Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

SEND CORRESPONDENCE TO:

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Respectfully submitted,

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